

JS 44 Rev 3/99

**CIVIL COVER SHEET**

The JS-120

44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**I. (a) PLAINTIFFS**

Veronica O'Neal

(b) County Of Residence Of First Listed Plaintiff: Essex County, New Jersey

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, And Telephone Number)

Edward Colligan  
17 Academy Street  
Newark, NJ 07102

**DEFENDANTS**

Lord &amp; Taylor

County Of Residence Of First Listed:

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known) Richard J. Sexton, Esquire  
RAWLE & HENDERSON, LLP  
401 Route 73 North, Suite 200  
Marlton, NJ 08053  
856-596-4800

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1. U.S. Government Plaintiff
- ☐ 2. U.S. Government Defendant
- ☐ 3. Federal Question (U.S. Government Not a Party)
- ☒ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

For diversity cases only

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   |   |                                |  |                                |                                       |
|---|---|--------------------------------|--|--------------------------------|---------------------------------------|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State    | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4        |
| Citizen of Another State                | <input type="checkbox"/> 2                | <input type="checkbox"/> 2     | Incorporated or Principal Place of Business in Another State | <input type="checkbox"/> 5     | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3                | <input type="checkbox"/> 3     | Foreign Nation   | <input type="checkbox"/> 6     | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)**

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury-- Med Malpractice <input type="checkbox"/> 365 Personal Injury-- Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21, USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>HABEAS CORPUS:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395FF) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/ DIWW(405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes <input type="checkbox"/> 871 IRS - Third Party 20 USC 7609	

**V. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Judge from Magistrate Judgment ☐ Appeal to District

**VI. CAUSE OF ACTION** (Cite The U.S. Civil Statute Under Which You Are Filing And Write A Brief Statement Of Cause)

Do Not Cite Jurisdictional Statutes Unless Diversity.) This matter is removed to Federal Court pursuant to 28 U.S.C. §1332.

Diversity of Citizenship exists between Plaintiff, a resident of New Jersey and Defendant, Lord & Taylor a Delaware corporation with its principal place of business in New York City, New York, and Chanel, a subsidiary of a foreign corporation with its principal place of business in New York City, New York, Inc. Further, the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ None made.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO**VIII. RELATED CASE(S) IF ANY**

(See instructions)

SIGNATURE OF ATTORNEY OF RECORD

DOCKET NUMBER

DATE: December 5, 2012

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_

APPLYING IFP \_\_\_\_\_

JUDGE \_\_\_\_\_

MAG. JUDGE

**RAWLE & HENDERSON LLP**

By: Richard J. Sexton, Esquire  
 40 Lake Center Executive Park  
 401 Route 73 North, Suite 200  
 Marlton, New Jersey 08053  
 (856) 596-4800  
 Attorneys for Defendant Lord & Taylor

**IN THE UNITED STATES DISTRICT COURT  
 DISTRICT OF NEW JERSEY**

<b>VERONICA O'NEAL</b>	:	<b>SUPERIOR COURT OF NEW JERSEY</b>
	:	<b>ESSEX COUNTY</b>
<b>Plaintiff,</b>	:	
	:	<b>LAW DIVISION</b>
<b>v.</b>	:	
	:	<b>CIVIL ACTION</b>
<b>LORD &amp; TAYLOR LLC.,</b>	:	
<b>CHANEL INC.</b>	:	<b>DOCKET NO. ESX-L-2828-13</b>
<b>NRDC EQUITY PARTNERS-d/b/a LORD &amp;</b>	:	
<b>TAYLOR</b>	:	<b><u>NOTICE OF REMOVAL</u></b>
<b>HUDSON'S BAY COMPANY d/b/a LORD &amp;</b>	:	
<b>TAYLOR</b>	:	
<b>JOHN DOE 1-5 OWNER OF CHAIR</b>	:	
<b>JOHN DOE 6-10 SUPPLIER OF CHAIR</b>	:	
<b>JOHN DOE 11-15 CHAIR INSPECTION,</b>	:	
<b>REPAIR AND MAINTENANCE</b>	:	
<b>CONTRACTOR</b>	:	
<b>JOHN DOE 16-20 CHAIR</b>	:	
<b>MANUFACTURER</b>	:	
<b>Defendant (s).</b>	:	

**TO: The Judges of the United States District Court for the District of New Jersey**

**PLEASE TAKE NOTICE** that Defendant Lord & Taylor, (incorrectly referred to as Lord & Taylor, LLC, NRDC Equity Partners–d/b/a Lord & Taylor and Hudson’s Bay Company–d/b/a Lord & Taylor, hereinafter “Lord & Taylor”) hereby remove the above-entitled action from the Superior Court of New Jersey, Law Division, Essex County, New Jersey to the United States

District Court for the District of New Jersey pursuant to 28 U.S.C. Sections 1332, 1441 and 1446.

In support of the Notice of Removal, Defendant states:

1. On April 17, 2013, Plaintiff filed a Complaint in the Superior Court of New Jersey, Law Division, Essex County, New Jersey. The Complaint alleges that Plaintiff Veronica O'Neal suffered severe injuries, including economic loss, as a result of an accident at the Lord & Taylor store in the Willowbrook Mall, in Wayne New Jersey on June 11, 2011. Medical records produced by Plaintiff's counsel indicate that Plaintiff is claiming to have suffered an annular tear in her L5-S1 lower back disc as a result of the accident. A copy of Plaintiff's Complaint is attached hereto as Exhibit "A".
2. Plaintiff's Complaint states that Plaintiff resides in Newark, New Jersey.
3. As of the date of the filing of Plaintiff's Complaint and up through the present date, Lord & Taylor was and is a Delaware corporation with its principal place of business at 424 Fifth Avenue New York City, NY 10018.
4. As of the date of the filing of Plaintiff's Complaint, and up through the present date, the other named defendant, Chanel, was and is a subsidiary of Chanel S.A., a foreign corporation with its principal place of business within the United States of America located in New York City, New York.
5. Accordingly, complete diversity jurisdiction exists between the Plaintiff and the defendants in this case.
6. Counsel for Chanel, Carl M. Perri, Esquire, has advised me that his client has consented to removal of this case to federal court.

7. Upon information and belief, the potential damages in controversy in this matter exceed the amount of \$75,000.00, exclusive of interest and costs, based on Plaintiff's counsel's assertion that Plaintiff has suffered severe injuries including an annular torn disc and economic losses.

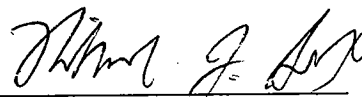
8. Accordingly, the United States District Court for the District of New Jersey has original jurisdiction over this action pursuant to 28 U.S.C. §1332 because it arises between citizens of different states and the potential amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

9. Lord & Taylor first received a copy of the initial pleading in this action through certified mail on April 19, 2013. The Summons for Plaintiff's Complaint is dated April 17, 2013. (Exhibit "A"). As said service does not necessarily constitute valid service of process pursuant to the New Jersey Rules of Court, and upon information and belief, Plaintiff has not yet attempted to effect personal service of process upon Lord & Taylor, this Notice of Removal is being filed within 30 days of Plaintiff's putative service of the initial state court pleading upon Lord & Taylor.

WHEREFORE, Defendant, Lord & Taylor, prays that the above-captioned matter, now pending in the Superior Court of New Jersey, Law Division, Essex County, be removed therefrom to the United States District Court for the District of New Jersey.

RAWLE & HENDERSON LLP

By: \_\_\_\_\_



Richard J. Sexton, Esquire  
Attorneys for Defendant  
Lord & Taylor

40 Lake Center Executive Park  
401 Route 73 North, Suite 200  
Marlton, NJ 08053  
(856) 596-4800

Dated: 5/17/13

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the within-captioned Notice of Removal as well as Notice of Filing Notice of Removal was served via overnight mail to:

Edward Colligan, Esquire  
17 Academy Street  
Newark, NJ 07102

Carl M. Perri, Esquire  
Clausen Miller  
100 Campus Drive  
Florham, NJ 07932

Clerk, Superior Court of New Jersey  
Essex County  
465 Dr. Martin Luther King, Jr. Blvd  
Newark, NJ 07102

RAWLE & HENDERSON

By: \_\_\_\_\_

  
Richard J. Sexton, Esquire  
Attorneys for Defendant  
Lord & Taylor

Dated: 5/17/13

# **EXHIBIT “A”**

EDWARD COLLIGAN  
17 Academy Street  
Newark, New Jersey 07102  
(973) 623-6665  
Attorney for Plaintiff

Veronica O'Neal,

Plaintiff

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ESSEX COUNTY  
DOCKET NO.: ESX-L-2828-13

vs.

Lord & Taylor LLC  
Chanel Inc.  
NRDC Equity Partners-d/b/a Lord & Taylor  
Hudson's Bay Company-d/b/a Lord & Taylor  
John Doe 1-5-owner of chair  
John Doe 6-10-supplier of chair  
John Doe 11-15-chair inspection, repair & maintenance  
contractor  
John Doe- 16-20-chair manufacturers

CIVIL ACTION

SUMMONS

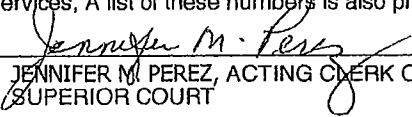
From the State of New Jersey  
To The Defendant(s) Named Above:

The plaintiff named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) An \$135.00 filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no Attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: 4/17/2013

  
JENNIFER M. PEREZ, ACTING CLERK OF THE  
SUPERIOR COURT

Name of defendant to be served: Hudson's Bay Company-d/b/a Lord & Taylor  
Address for Service: 3 Manhattanville Rd Ste 202  
Purchase, NY 10577



Edward Colligan  
17 Academy Street  
Newark, NJ 07102  
(973)623-6665  
Attorney for Plaintiff

---

Veronica O'Neal

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ESSEX COUNTY  
DOCKET NO.: ESX-L-2828-13

Plaintiff(s)

vs.

Civil Action

Lord & Taylor LLC  
Chanel Inc.  
NRDC Equity Partners-d/b/a Lord & Taylor  
Hudson's Bay Company-d/b/a Lord & Taylor  
John Doe 1-5-owner of chair  
John Doe 6-10-supplier of chair  
John Doe 11-15-chair inspection, repair and maintenance contractor  
John Doe 16-20-chair manufacturer

COMPLAINT

Defendant(s)

---

Veronica O'Neal  
residing in Newark , NJ , and being the Plaintiff(s) herein, by way of Complaint  
against the defendant(s) says:

### FIRST COUNT

1- On or about June 11, 2011, plaintiff was lawfully upon premises known as Lord & Taylor, in the vicinity of the Chanel cosmetics counter, located at 4 Willowbrook Mall, Wayne, New Jersey.

2- On or about the above time and place, the defendant, Lord & Taylor LLC., was the owner, landlord, operator and/or otherwise in control of said premises, which they negligently failed to equip, furnish, inspect, operate and maintain in a safe and proper manner.

3- On or about the above time and place, the defendant, Lord & Taylor, LLC, was the owner, operator and/or otherwise in control of a chair located in the vicinity of the Chanel cosmetics counter, which they negligently failed to properly label and provide adequate instructions and warnings, equip, arrange, inspect and maintain in a safe and proper manner.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, Lord & Taylor, LLC., for compensatory damages, attorneys fee and costs of suit.

### SECOND COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first count and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, Chanel Inc.,

was the owner, tenant, operator and/or otherwise in control of said premises, which they negligently failed to equip, furnish, inspect, operate and maintain in a safe and proper manner.

3- On or about the above time and place, the defendant, Chanel Inc., was the manufacturer, designer, distributor, owner, operator and/or otherwise in control of a chair, located in the vicinity of the Chanel cosmetics counter, which they negligently failed to properly design, manufacture, label and provide adequate instructions and warnings, equip, arrange, inspect and maintain in a safe and proper manner.

4- The defendant negligently failed to provide premises and chair that were reasonably fit, suitable and safe for its intended use for which the plaintiff makes claim in common law negligence, pursuant to the doctrine of res ipsa locuitur, breach of warranty and pursuant to the NJ Products Liability Act.

5- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, Chanel Inc., for compensatory damages, attorneys fee and costs of suit.

### THIRD COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first and second counts and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, NRDC Equity Partners-d/b/a Lord & Taylor., was the owner, landlord, operator and/or otherwise in control of said premises, which they negligently failed to equip, furnish, inspect, operate and maintain in a safe and proper manner.

3- On or about the above time and place, the defendant, NRDC Equity Partners-d/b/a Lord & Taylor , was the owner, operator and/or otherwise in control of a chair located in the vicinity of the Chanel cosmetics counter, which they negligently failed to properly design, manufacture, label and provide adequate instructions and warnings, equip, arrange, inspect and maintain in a safe and proper manner.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, NRDC Equity Partners-d/b/a Lord & Taylor, for compensatory damages, attorneys fee and costs of suit.

#### FOURTH COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first, second and third counts and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, Hudson's Bay Company-d/b/a Lord & Taylor., was the owner, landlord, operator and/or otherwise in

control of said premises, which they negligently failed to equip, furnish, inspect, operate and maintain in a safe and proper manner.

3- On or about the above time and place, the defendant, Hudson's Bay Company-d/b/a Lord & Taylor , was the owner, operator and/or otherwise in control of a chair located in the vicinity of the Chanel cosmetics counter, which they negligently failed to properly design, manufacture, label and provide adequate instructions and warnings, equip, arrange, inspect and maintain in a safe and proper manner.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, Hudson's Bay Company-d/b/a Lord & Taylor, for compensatory damages, attorneys fee and costs of suit.

#### FIFTH COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first, second, third and fourth counts and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, John Doe 1-5- owner of chair, was the manufacturer, designer, distributor, owner, operator and/or otherwise in control of a chair located in the vicinity of the Chanel cosmetics counter, which they negligently failed to properly design, manufacture, label and provide adequate

instructions and warnings, equip, arrange, inspect and maintain in a safe and proper manner.

3- The defendant negligently failed to provide a premises and chair that was reasonably fit, suitable and safe for its intended use for which the plaintiff makes claim in common law negligence, pursuant to the doctrine of res ipsa locuitur, breach of warranty and pursuant to the NJ Products Liability Act.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, John Doe 1-5-owner of chair, for compensatory damages, attorneys fee and costs of suit.

#### SIXTH COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first, second, third, fourth and fifth counts and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, John Doe 6-10-supplier of chair, was responsible for selecting, distributing, supplying, inspecting, equipping, installing and maintaining the chair located in the vicinity of the Chanel cosmetics counter, which they negligently failed to select, supply, equip, arrange, install inspect and maintain in a safe and proper manner.

3- The defendant negligently failed to provide a premises and chair that was reasonably fit, suitable and safe for its intended use for which the plaintiff makes

claim in common law negligence, pursuant to the doctrine of res ipsa locuitur, breach of warranty and pursuant to the NJ Products Liability Act.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, John Doe 6-10-supplier of chair, for compensatory damages, attorneys fee and costs of suit.

#### SEVENTH COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first, second, third, fourth, fifth and sixth counts and makes same a part hereof as though set forth at length herein.

2- On or about the above date, the defendant, John Doe 11-15-chair inspection, repair and maintenance contractor, was responsible for the inspection, repair and maintenance of said chair, which he negligently failed to inspect, repair and maintain in a safe and proper manner.

3- The defendant negligently failed to provide a premises and chair that was reasonably fit, suitable and safe for its intended use for which the plaintiff makes claim in common law negligence, pursuant to the doctrine of res ipsa locuitur, breach of warranty and pursuant to the NJ Products Liability Act.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, John Doe 11-15-chair inspection, repair and maintenance contractor, for compensatory damages, attorneys fee and costs of suit.

#### EIGHTH COUNT

1- Plaintiff repeats each and every allegation contained in all paragraphs of the first, second, third, fourth, fifth, sixth and seventh counts and makes same a part hereof as though set forth at length herein.

2- On or about the above time and place, the defendant, John Doe 16-20-chair manufacturer, was the manufacturer of said chair, which he negligently failed to properly design, manufacture, label and provide adequate instructions and warnings in a safe and proper manner.

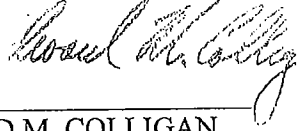
3- The defendant negligently failed to provide a premises and chair that was reasonably fit, suitable and safe for its intended use for which the plaintiff makes claim in common law negligence, pursuant to the doctrine of res ipsa locuitur, breach of warranty and pursuant to the NJ Products Liability Act.

4- As a result of the aforesaid, the plaintiff was caused to fall, causing her to sustain severe personal injuries, hedonic damages and suffered economic and non economic losses.

WHEREFORE, Plaintiff demands judgment against the defendant, John Doe 16-20-chair manufacturer, for compensatory damages, attorneys fee and costs of suit.



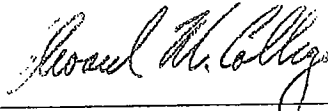
PLAINTIFF DEMANDS Trial by jury as to all issues.



EDWARD M. COLLIGAN  
Attorney for Plaintiff

CERTIFICATION

I hereby certify, pursuant to Rule 4:5-1, that the matter in controversy is not the subject of any other action or arbitration proceeding, nor is any other action or arbitration proceeding contemplated, and no other party should be joined in this action at this time.



EDWARD M. COLLIGAN  
Attorney for Plaintiff

INTERROGATORIES

Plaintiff hereby demands each named defendant supply certified answers to Form C and to the applicable Form C(1) or C(4) uniform interrogatories within the time allowed by the Rules of Court.